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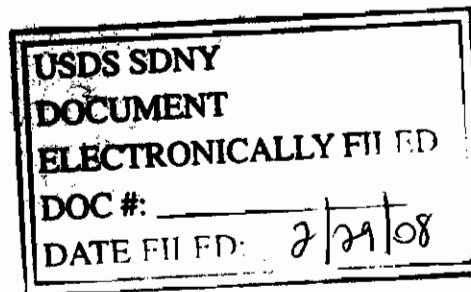
JENNIFER G. DAUGHERTY
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February 29, 2008

MEMO ENDORSED

VIA FACSIMILE
(212) 805-6326

Hon. Colleen McMahon
United States District Judge
United States Courthouse
500 Pearl Street, Room 640
New York, NY 10007



Re: *Thomas Jermyn, on behalf of himself and all others similarly situated v.
Best Buy Co., Inc.*
Case No. 08-cv-00214
Our File No.: 011082.2689

Dear Judge McMahon:

My firm represents Defendant Best Buy Co., Inc. in the above-entitled litigation. Please note that my *pro hac vice* admission is pending, as is that of Anne Lockner of my firm.

Yesterday, Plaintiffs' counsel filed a Stipulation and provided you with a Proposed Order for your consideration. By this correspondence, Best Buy requests adjournment of the March 7, 2008, initial status hearing in light of the matters raised in that Stipulation. In short, this request is based on the fact that although the Complaint is dated December 17, 2007, Plaintiffs did not serve the Complaint on Best Buy until January 31, 2008. The parties have agreed to extensions for Plaintiffs to serve amended complaint(s) and Best Buy's time to answer or otherwise respond. Postponing the March 7 hearing by just a few weeks will allow Best Buy to respond to the Complaint before appearing before Your Honor.

Plaintiffs' counsel is copied on this correspondence and has authorized me to represent that Plaintiffs have no objection to this requested adjournment. Both parties are available March 25, 27, and 28. However, we do acknowledge the Court's busy schedule and full docket, and would certainly be willing to appear on other dates if the Court would entertain the requested adjournment. This is the first request for adjournment in this matter and there are no scheduling dates in place yet that this postponement would affect.

& I only do conferences on Friday
Colleen McMahon
2/29/08

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Thank you for your consideration.

Very truly yours,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.



Jennifer G. Daugherty

JGD/jkc

c: Michael L. Braunstein, Esq. (*via facsimile*)
Thomas R. Harris, Esq. (*via email*)
Anne M. Lockner, Esq. (*via email*)